

REMARKS

Claims 1-5 are pending in the application. In the non-final Office Action dated November 29, 2007, the Examiner made the following disposition:

- A.) Rejected claims 1, 2, and 5 under 35 U.S.C. §103(a) as being unpatentable over *Bruner* in view of *Wolf*.
- B.) Rejected claims 3 and 4 under 35 U.S.C. §103(a) as being unpatentable over *Bruner* in view of *Lin* or *Schmid*.

Applicant respectfully traverses the rejections and addresses the Examiner's disposition below.

- A.) Rejection of claims 1, 2, and 5 under 35 U.S.C. §103(a) as being unpatentable over *Bruner* in view of *Wolf*:

Applicant respectfully disagrees with the rejection.

*Bruner* does not qualify as "prior art." The *Bruner* reference was filed May 13, 2005, and published October 6, 2005. Applicant's claimed invention predates *Bruner*, as evidenced by Applicant's PCT filing date of April 2, 2004, which claims priority to references dated as early as April 2, 2003.

Applicant respectfully submits the rejection is improper and requests that it be withdrawn.

- B.) Rejection of claims 3 and 4 under 35 U.S.C. §103(a) as being unpatentable over *Bruner* in view of *Lin* or *Schmid*:

Applicant respectfully disagrees with the rejection.

As discussed above, *Bruner* does not qualify as prior art. Applicant respectfully submits the rejection is improper and requests that it be withdrawn.

CONCLUSION

In view of the foregoing, it is submitted that claims 1-5 are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

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